



Legislation Text

File #: 00061, **Version:** 1

Fiscal Note

No expenditure required.

Title

SUBSTITUTE - Create Section 3.15(2) of the Madison General Ordinances to establish procedures by which the City Attorney may be authorized to commence public nuisance actions on behalf of the City under Wis. Stats. Chapter 823.

Body

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (2) entitled "Public Nuisance Authority" of Section 3.15 entitled "City Attorney" of the Madison General Ordinances is created to read as follows:

"(2) Public Nuisance Authority.

The City Attorney is authorized to commence public nuisance actions on behalf of the City under Wis. Stats. Chapter 823, if the following occurs:

1. The City Attorney provides written notice to the Mayor and Common Council of the intent to file a nuisance action. This written notice shall provide a description of the nuisance and why action is necessary.
2. The Mayor and Common Council have fifteen (15) days to provide written notification to the City Attorney of an objection to the commencement of a nuisance action and a request for the City Attorney to draft a resolution authorizing the action.
3. If there is an objection to the City Attorney's request, the City Attorney must draft a resolution requesting authorization to commence the nuisance action to be heard at the next scheduled Common Council Meeting.
4. If the City Attorney does not receive an objection within fifteen (15) days of the provided notice, the City Attorney is authorized to commence a nuisance action as authorized under Wis. Stats. Chapter 823."